

**CITY OF LOGAN, UTAH**  
**ORDINANCE NO. 15-15**

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

**SECTION 1:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.15: "Specific Development Standards: Residential Zones" is hereby amended as attached hereto as Exhibit A, respectively:

**SECTION 2:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.19: "Specific Development Standards: District and Corridor Zones" is hereby amended as attached hereto as Exhibit B, respectively:

**SECTION 3:** This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, \_\_\_\_\_  
THIS DAY OF \_\_\_\_\_, 2015.

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Jeannie F. Simmonds, Chair

ATTEST:

\_\_\_\_\_  
Teresa Harris, City Recorder

**PRESENTATION TO MAYOR**

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Jeannie Simmonds, Chair

**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Craig Petersen, Mayor

# EXHIBIT A

# EXHIBIT B



## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: September 1, 2015  
FROM: Mike DeSimone, Director  
SUBJECT: LDC Text Amendment – Temporary Signs

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### **Summary of Planning Commission Proceedings**

<i>Project Name:</i>	Temporary Signs
<i>Request:</i>	Code Amendment
<i>Project Address:</i>	City-wide
<i>Recommendation of the Planning Commission:</i>	Approval with modification

On August 13, 2015, the Planning Commission recommended that the Municipal Council **approve** a request to amend the Land Development Code Chapter 17.40 (Signs) to modify temporary sign regulations and “clean-up” other code language.

### **Planning Commissioners vote (6 - 0):**

Motion for Recommendation: T. Nielson

Second: S. Sinclair

Yea: R. Price, S. Sinclair, A. Davis, T. Jensen, T. Nielson, R. Croshaw

Nay: none

### **Attachments:**

*Staff Report*

*Ordinance 15-016*

*PC Meeting Minutes*



**Project #15-040  
Temporary Signs  
Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Temporary Signs
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	August 13, 2015
<i>Submitted By:</i>	Mike DeSimone, Director

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for the following amendments to the Land Development Code (LDC): Sections 17.40 (Signs).

**REQUEST**

This proposed amendments to Section 17.40 (Signs) of the Land Development Code include the following:

**Section 17.40.120 Banners**

The proposed amendment to Banner Signs includes a provision to permit banner flags (also called sails, feathers, teardrops) and includes some clean-up language.

**Section 17.40.140 Prohibited Signs**

The proposed amendment under subsection 17.40.140.S clarifies that "balloons" are not a prohibited sign or item under the Sign Code.

The banner signs are becoming more common and we have had a number of requests to allow them. We have also had businesses request that we clarify whether balloons are permitted versus prohibited as a number of businesses use balloons during promotional events.

There are also a few minor "clean-up" language changes which are highlighted in red.

**GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments to the Signs Chapter expand and/or clarify temporary signage and are consistent with the General Plan.

**STAFF RECOMMENDATION AND SUMMARY**

Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

**PUBLIC COMMENTS**

As of the time the staff report was prepared, no public comments had been received.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on July 23, 2015, posted on the City's website and the Utah Public Meeting website on July 14, 2014, and noticed in a quarter page ad on July 26, 2015.

## **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments have been received.

## **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments expand and/or clarify temporary signs to permit flag banners and balloons.
4. The provisions of these amendments are consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

regarding the sign including the name address and phone number and the dates or date range the sign is displayed; and

13. Temporary Signs do not require sign permits prior to installation.

#### §17.40.120 Banners

A. Banners shall be allowed as follows:

1. Banners shall not exceed forty-eight (48) square feet in area;
2. Banners shall be located on private property with the owner's permission;
3. Banners shall not be placed in the public right of way or on public property;
4. Banners shall not be placed in the sight distance triangle;
5. Banners shall be securely attached flush to the wall of primary buildings, except for Banner Flags, which shall be securely anchored into the ground;
6. Commercial banners shall be maintained in safe condition. Banners that are damaged, faded, torn, broken, or displayed in such a manner to be a safety hazard shall be subject to immediate removal;
7. Banners shall not be mounted between placed on poles;
8. Banners shall not be mounted between a building and a pole;
9. Banners shall not be mounted on a fence;
10. Banners shall not hang below the bottom of awnings, canopies, or other overhangs or between columns or pillars;
11. Banners shall not be mounted on freestanding signs;
12. Banners are only permitted in the TC, IP, CC, COM, MU, & CS zoning districts;
13. A maximum of two (2) banners may be placed on any one property;
14. Banners shall not be displayed for longer than sixty (60) consecutive days and no more than two (2) times in any calendar year; and
15. Banners shall include a notation or certificate on the back of the banner listing a responsible person to contact regarding the banner including the name address and phone number and the dates or date range the sign is displayed.

B. Holiday Promotional Periods. In addition to the specific standards contained in Section 17.40.120, a business may advertise a special service, product, or sale during the following holiday periods defined in Table 17.40.120. Only one additional banner sign, not exceeding 48 square feet in size, is allowed during these periods. Such banner shall meet the stipulations of Section 17.40.120.A, and must be secured to the building and shall be removed by the end of the first business day after the associated holiday.

C. Community Event Banners. In addition to the specific standards contained in Section 17.40.120, a non-profit entity may advertise or promote a Community Event using temporary banners that are consistent with the requirements of Section 17.40.120.A, excepting the following:

1. Up to five (5) temporary banners advertising a community event shall not be displayed for longer than ten (10) days and shall be removed by the end of the first business day after the associated event, and up to ten (10) additional temporary banners may be displayed on the day prior to the associated event and shall be removed by the end of the first business day after the associated event;
2. A community event banner may be placed in the public right of way or on public property with written permission from Logan City;
3. A community event banner may be attached to a fence; and
4. A community event banner may be placed off-site provided the community event banner is used to help direct traffic and people towards the event.

adjacent to street(s) with signage attached or placed upon. Large vehicles with signage attached or placed upon that are parked in a manner that consumes more than one parking stall adjacent to street(s);

- Q. Signage that includes a visible or direct light source with the exception of neon or other lighting that has been approved as a part of the sign design (see also Section 17.40.060 on illumination);
- R. Signs that would cause a violation of the building code;
- S. Attention getting devices, inflatable objects (except balloons), and inflatable signs; or
- T. Signs that are placed, held or worn as part of a costume in the public right-of-way or off-premise with the intent of commercial advertisement directed to vehicle and pedestrian traffic.

#### §17.40.150. Signs in the Public Right-of-Way

- A. No Signs shall be allowed in the Public Right-of-Way, except for the following:
  - 1. Emergency warning signs erected by a governmental agency, public utility or contractor authorized to work within the right-of-way;
  - 2. Public signs erected by or on behalf of a governmental entity to post legal notices, convey public information, and direct or regulate pedestrian or vehicular traffic;
  - 3. Community or public events may have signs within the public right-of-way as approved by the Department of Community Development and the City Administration Department;
  - 4. Informational signs of a public utility regarding its poles, lines, pipes or other facilities;
  - 5. Temporary signs identified elsewhere in this chapter as being permitted in the right-of-way are not subject to the prohibition of this section;
  - 6. Perpendicular (blade) signs as permitted in this chapter are not subject to the prohibition of this section; or
  - 7. Cache Valley Transit District (CVTD) bus stop shelter advertisements as defined in Section 17.40.170.

- B. Removal.

Any sign installed or placed on public property, except in conformance with the provisions above, shall be forfeited to the public and subject to confiscation. In addition to other remedies, the City shall have the right to recover from the owner or person placing such a sign the full costs of its removal and disposal.

#### §17.40.160. Electronic Message Display (EMD)

- A. Permit Required.
  - 1. All EMD signs shall require a Sign Permit.
  - 2. Off premise advertising of a commercial nature is prohibited on all EMD's. Signs may only advertise for businesses operating on the same property or within the same approved project, and as outlined in the approved Sign Permit.
  - 3. Exception to off premise advertising: Public Service Announcements. All EMD's are permitted to conduct Public Service Announcements of a non-commercial and temporary nature.
- B. Permitted Zones.
  - 1. EMD's shall only be permitted in the Commercial (COM), Commercial Services (CS), Town Center (TC), Industrial Park (IP), Public (PUB) & Recreation (REC) zoning districts..
  - 2. EMD's are prohibited in the Logan Center Street Historic District.
  - 3. EMD's located in the COM, CS, TC, and IP zoning districts are prohibited within 300' of a Neighborhood Residential Zoning District.